

**BERNALILLO COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**ADMINISTRATIVE RESOLUTION NO. AR 2010 -83, as amended**

**A RESOLUTION ESTABLISHING THE LEGISLATIVE POLICY FOR THE COUNTY  
OF BERNALILLO FOR THE FIFTIETH LEGISLATURE, FIRST SESSION, OF THE  
STATE OF NEW MEXICO.**

1. Oppose any legislation that a) proposes any revenue reductions, b) adversely affects funding sources or c) diminishes the County's regulatory authority.
2. Introduce legislation and or amend state laws to enable Bernalillo County to receive 100% of the Misdemeanor Penalty Assessment fee, and to increase the fee by \$10 (ten dollars) to \$20 (twenty dollars).
3. Amend NMSA 33-3-25 Local Government Corrections Fund to enable Bernalillo County to receive 100% of the Corrections Fund distributed by the Administrative Office of the Courts to counties.
4. Introduce legislative memorials to study strategies on reducing jail populations, and to enable boards of county commissioners to establish policies to manage populations of and funding for county detention facilities.
5. Amend the general sentencing statute to provide that any inmate convicted of a felony offense shall serve the sentence in a Department of Corrections facility regardless of the length of sentence imposed.
6. Amend the misdemeanor sentencing statute to provide for a change so that inmates do time at a DOC facility on misdemeanor offenses unless the sentence is 180 days or less. Currently, all sentences less than 365 days are served in jails.
7. Amend the statutory framework to provide that all inmates are subject to a probations tail regardless of whether they finish out time in a DOC facility or a jail. This will result in a change in philosophy about plea agreements. The preference will be that terms are served in a DOC facility because of the statutory right to good time. It will also change the philosophy of the courts in terms of sentencing.
8. Change or repeal statute which requires boards of county commissioners to inspect every cell within the county jail.
9. Introduce a memorial requesting that a study be conducted by DFA including county representatives to review and analyze county revenue streams and local option tax increments to determine if more administrative flexibility and de-earmarking of revenue increments

**CONTINUATION PAGE 2, ADMINISTRATIVE RESOLUTION AR 2010-83, as amended LEGISLATIVE POLICY FOR THE COUNTY OF BERNALILLO FOR THE FIFTIETH LEGISLATURE, FIRST SESSION, OF THE STATE OF NEW MEXICO.**

could result in greater efficiency, more stable and predictable revenue generation at the county level.

10. Amend existing state law to enable counties to establish franchise agreements with utilities.

11. Amend statute/s regarding municipal liens to allow counties to allow counties the same authority as municipalities.

12. Amend state statute/s or introduce legislation to allow counties to take uncollectible debts off the books.

13. Amend applicable sections of the Procurement Code:

a. Amend NMSA 13-1-125 (A), Small Purchases, to increase the monetary amount of procuring services, construction, or items of tangible personal property from twenty thousand (\$20,000) to fifty thousand (\$50,000) dollars.

b. Amend NMSA 13-1-125 (B), Small Purchases, to increase the monetary amount of procuring professional services having a value exceeding fifty (\$50,000), excluding applicable state and local gross receipts taxes to one hundred thousand dollars (\$100,000), except for the services of landscape architects or surveyors for state public work projects or local public works projects.

c. Amend NMSA 13-1-125 (C), Small Purchases, to increase the monetary amount of procuring services, construction or items of tangible personal property having a value not exceeding ten thousand (\$10,000) to fifteen thousand dollars (\$15,000) by issuing a direct purchase order to a contractor based upon the best obtainable price.

d. Amend NMSA 13-1-104 (B), Competitive Sealed Bids; Public Notice, increasing the limits for expenditures from twenty thousand dollars (\$20,000) to fifty thousand dollars (\$50,000) to be consistent with the proposed changes to NMSA 13-1-125(a).

e. Amend NMSA 13-1-66.1, Definition; local public works projects, increasing the limits for services requiring professional services costing fifty thousand dollars (\$50,000) or more to one hundred thousand dollars \$100,000 and landscape architectural or surveying services requiring professional services costing ten thousand (\$10,000) or more to twenty thousand dollars (\$20,000) or more, excluding applicable state and local receipts taxes to be consistent with the proposed changes to NMSA 13-1-125(b).

f. Amend NMSA 13-1-91, Definition; state public works project, increasing the limits for services requiring professional services costing fifty thousand dollars (\$50,000) or more

**CONTINUATION PAGE 3, ADMINISTRATIVE RESOLUTION AR 2010-83, as amended LEGISLATIVE POLICY FOR THE COUNTY OF BERNALILLO FOR THE FIFTIETH LEGISLATURE, FIRST SESSION, OF THE STATE OF NEW MEXICO.**

1        to one hundred thousand dollars (\$100,000) and landscape architectural or surveying  
2        services requiring professional services costing ten thousand (\$10,000) or more to twenty  
3        thousand dollars (\$20,000) or more, excluding applicable state and local receipts taxes to  
4        be consistent with the proposed changes to NMSA 13-1-125(b).

5        g. Amend NMSA 13-1-154.1 (A), Multiple source contracts; architectural and design  
6        service contracts; indefinite quantity construction contracts, to include local public bodies  
7        and to increase the contract limits and all renewals for architectural or engineering  
8        services from two hundred thousand dollars (\$200,000) over four years to five hundred  
9        thousand dollars (\$500,000) over four years.

10       h. Amend NMSA 13-1-154.1 (B), Multiple source contracts; architectural and design  
11       service contracts; indefinite quantity construction contracts, to include local public bodies  
12       and to increase the contract limits and all renewals for indefinite quantity construction  
13       contracts pursuant to a price agreement from two million dollars (\$2,000,000) over four  
14       years to four million dollars (\$4,000,000) over four years.

15       i. Amend NMSA 13-1-154.1 (C1), Multiple source contracts; architectural and design  
16       service contracts; indefinite quantity construction contracts, to include an option of  
17       soliciting a request for bids.

18       j. Amend NMSA 13-1-154.1 (4a), Multiple source contracts; architectural and design  
19       service contracts; indefinite quantity construction contracts, increase (a) from two  
20       hundred thousand dollars (\$200,000) to five hundred thousand dollars (\$500,000), for  
21       architectural or engineering design services to consistent with the proposed changes to  
22       NMSA 13-1-154.1 (A).

23       k. Amend NMSA 13-1-154.1(4b), Multiple source contracts; architectural and design  
24       service contracts; indefinite quantity construction contracts, increase (a) from two million  
25       dollars (\$2,000,000) to four million (\$4,000,000), for construction services to be  
26       consistent with the proposed chances to NMSA 13-1-154.1(B).

27       l. Amend NMSA 13-1-155 (A) and (B), Procurement of used items; appraisal required;  
28       county road equipment exception for auctions, increase the estimated cost of which  
29       exceeds five thousand dollars (\$5,000) to fifty thousand dollars (\$50,000).

**CONTINUATION PAGE 4, ADMINISTRATIVE RESOLUTION AR 2010-83, as amended LEGISLATIVE POLICY FOR THE COUNTY OF BERNALILLO FOR THE FIFTIETH LEGISLATURE, FIRST SESSION, OF THE STATE OF NEW MEXICO.**

- 1           m. Amend NMSA 13-1-156 (A), Trade or exchange of used items; appraisal required,  
2           increase the estimated value of which exceeds five thousand dollars (\$5,000) to fifty  
3           thousand dollars (\$50,000).
- 4           n. Amend NMSA 13-6-1 (A) (1), Disposition of obsolete, worn-out or unusable tangible  
5           personal property, increase current resale value of five thousand dollars (\$5,000) or  
6           less to fifty thousand dollars (\$50,000).
- 7           o. Amend NMSA 13-6-2 (D), Sale of property by state agencies or local public bodies;  
8           authority to sell or dispose of property; approval of appropriate approval authority,  
9           increase current resale value of more than five thousand dollars (\$5,000) to fifty  
10          thousand dollars (\$50,000).
- 11       14. Pursue longevity property tax credit, or “Homestead Provision”, to provide property tax relief  
12       and prevent economic displacement for property owners who have owned their homes for  
13       fifteen (15) or more years. Qualifying homeowners would be entitled to a tax credit of 5%  
14       per year up to five (5) years, with a maximum credit of 25%.
- 15       15. Introduce legislation to revise statutes governing the administration, imposition and  
16       collection of property taxes on manufactured homes to promote greater reporting compliance,  
17       collections and administration and equity in the system.
- 18       16. Pursue a legislative memorial for Class A Counties to have an appointed Special Judge or  
19       Special Master to hear only code enforcement cases thus expediting corrective actions and  
20       separating these cases from the existing Metropolitan Court caseload and granting the Board  
21       of County Commissioners authority to adopt ordinances providing citation authority to code  
22       enforcement officers.
- 23       17. Amend statute/s regarding liquor establishment distance requirements, making them more  
24       restrictive.
- 25       18. Introduce legislation allowing municipalities and counties to issue their own vehicle  
26       government license plates.
- 27       19. Amend 14-11-10.2 to allow electronic posting of legal notices as an acceptable alternate to  
28       non-electronic notices.
- 29       20. Amend state statute to allow taxpayers the option to receive tax bill notification by traditional  
30       mail or electronic transmission.

**CONTINUATION PAGE 5, ADMINISTRATIVE RESOLUTION AR 2010-83, as  
amended LEGISLATIVE POLICY FOR THE COUNTY OF BERNALILLO FOR THE  
FIFTIETH LEGISLATURE, FIRST SESSION, OF THE STATE OF NEW MEXICO.**

1 21. Support legislation to provide for an exemption from the state procurement code for class A  
2 counties with a population of more than five hundred thousand; providing however, that the  
3 county shall either adopt a procurement code materially similar to that of a home-rule  
4 municipality in that county or develop a new procurement code that shall be submitted to the  
5 Local Government Division of the New Mexico Department of Finance and Administration  
6 for review and approval then codified by county ordinance.

7  
8 **NOW THEREFORE BE IT RESOLVED**, by the Board of County Commissioners, the  
9 governing body of the County of Bernalillo that the legislative program described herein for the  
10 Fiftieth Legislature, First Session, of the State of New Mexico is hereby approved and adopted.  
11 **DONE** this 26<sup>th</sup> day of October, 2010.

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CONTINUATION PAGE 5, ADMINISTRATIVE RESOLUTION AR 2010- 83  
LEGISLATIVE POLICY FOR THE COUNTY OF BERNALILLO FOR THE FIFTIETH  
LEGISLATURE, FIRST SESSION, OF THE STATE OF NEW MEXICO. AS AMENDED.

BOARD OF COUNTY COMMISSIONERS

Art De La Cruz  
Art De La Cruz, Chair

Maggie Hart Stebbins  
Maggie Hart Stebbins, Vice Chair

Alan B. Armijo  
Alan B. Armijo, Member

Michael C. Wiener  
Michael C. Wiener, Member

Michael Brasher  
Michael Brasher, Member

Jeffrey  
Legal Department

Date: 10/15/10

ATTEST:

Maggie Toulouse Oliver

Maggie Toulouse Oliver, Clerk

Date: 10/26/10

